

**Tax Map/Block/Parcel
No. 71-13-158**

**Building Permit/Zoning
Certificate No. 05-0939**

Case 5067

**OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND**

APPLICANT: Mary E. Higgs
6700 Runkles Road
Mt. Airy, MD 21771

ATTORNEY: N/A

REQUEST: A conditional use for a kennel for up to 16 dogs and a variance from the required 10 acres to 9.90 acres and variances from the required 400 ft. setback from property lines to 219 ft. and 160 ft., respectively.

LOCATION: The site is located at 6700 Runkles Road, Mt. Airy, on property zoned "C" Conservation District in Election District 13.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-34 B, 223-37, 223-16, 223-186A (2) and 223-181 C

HEARING HELD: May 26, 2005

FINDINGS AND CONCLUSION

On May 26, 2005, the Board of Zoning Appeals (the Board) convened to hear a request for a conditional use for a kennel for up to 16 dogs and a variance from the required 10 acres to 9.90 acres and variances from the required 400 ft. setback from property lines to 219 ft. and 160 ft., respectively. The Board made the following findings and conclusion:

The Applicant raises and shows Australian Shepherd dogs. The dogs reside in the basement of their home. The Applicant currently has 12 adult dogs. They are allowed outside to exercise 2 to 3 at a time. No customers visit the site and no commercial breeding occurs at the property.

OFFICIAL DECISION

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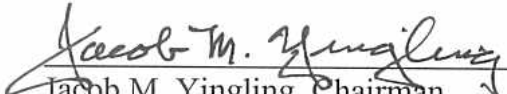
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The Board finds that the Applicant's lot, although 9.90 acres, is unusually narrow in that it is only 300 feet wide. According, it is currently impossible to meet the side yard setbacks, and a grant of a variance is appropriate. Furthermore, the Board finds that the proposed use at this location will not generate adverse effects above and beyond those normally associated with such a use. Accordingly, the conditional use is granted, subject to the following:

1. The use is non-transferable.
2. No more than 16 dogs may reside at the home.
3. No boarding or training of dogs other than Applicant's is permitted.

Date

6/23/05


Jacob M. Yingling, Chairman